

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**VS.**

**RALPH CORDY,**

**Defendant.**

**8:06CR321**

## ORDER

This matter is before the court on the motion for an extension of time by defendant Ralph Cordy (Cordy) (Filing No. 9). Cordy seeks an extension of time for two weeks in which to file pretrial motions pursuant to paragraph 3 of the progression order (Filing No. 6). Upon consideration, the motion will be granted.

**IT IS ORDERED:**

1. Defendant Cordy's motion for an extension of time (Filing No. 9) is granted. Defendant Cordy is given until **on or before November 22, 2006**, in which to file pretrial motions pursuant to the progression order (Filing No. 6). The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **November 8, 2006 and November 22, 2006**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

2. The evidentiary hearing tentatively scheduled for 9:00 a.m. on November 16, 2006, is **canceled** and will be rescheduled, if necessary, following the filing of any pretrial motions in accordance with this order.

DATED this 8th day of November, 2006.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge